

"If you shall acquire a Hebrew servant, six years shall he serve." (21:2)

The servant described here is actually a thief who was sold by the *Bais Din* into servitude because of his inability to make restitution. The *Torah's* manner of punishment seems peculiar. The community takes a common thief who has exhibited complete disregard for another person's possessions and feelings and gives him a new home, job, and lifestyle. We are giving self-respect to one who has shown so little esteem to others. This question becomes stronger when one takes into account the statement of the *Talmud (Kiddushin 22b)* that "*one who acquires a Jewish servant is really purchasing a master for himself.*" Will this manner of punishment exact an appropriate penance for the thief's actions?

We may deduce from this court procedure that the *Torah's* goals in meting out punishment are not punitive, but rather rehabilitative. We must delve into this person's past history and search for the problems that caused his self-degradation. Taking punitive measures against someone without initially attempting to find the cause of his miscreancy is senseless. The thief must have a history of problems which led to the development of his current lifestyle.

In order to effect a positive change in the criminal, he must first be removed from his current corrupt surroundings and transferred to a more favorable environment. His time must be positively structured, since inactivity and the consequent lethargy can have a negative effect upon people. In summation, the community must be involved in transforming his previous lifestyle. The thief must be encouraged to confront the roots of his behavior. Indeed, the *Torah's* mode of punishment is unique, in that it seeks to solve the problem rather than to merely conceal it with punishment. It is only through such methods that the individual will recognize his self-inflicted degradation and become motivated to reenter society as a full-fledged, spiritual Jew.